



# **GALVESTON COUNTY, TEXAS**

**COMMISSIONERS COURT** 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry  
County Judge

Ryan Dennard  
Commissioner, Precinct 1

Joe Giusti  
Commissioner, Precinct 2

Stephen Holmes  
Commissioner, Precinct 3

Ken Clark  
Commissioner, Precinct 4

## **AGENDA**

**December 20, 2016 – 1:30 PM**

**CONSENT AGENDA:** ALL ITEMS MARKED WITH A SINGLE ASTERISK (\*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

## **REGULARLY SCHEDULED MEETING**

### **Call to Order**

### **Invocation and Pledge of Allegiance**

### **Consent Agenda**

- \*1. [Submitted by the Auditor's Office:](#)
  - a. [Approval of the Accounts Payable Checks dated 12/13/16 and 12/20/16](#)
  - b. [Order for Payroll period ending 12/14/16 Bi-Weekly #26](#)
  - c. [Order for Supplemental Payroll period ending 12/14/16 Bi-Weekly #26](#)
  - d. [Monthly Financial Report for period ending 11/30/16](#)
  - e. [Certification of funds pursuant to Local Government Code 111.0106 refunding prior year premium for Flood Insurance from Wright Flood](#)
  - f. [Internal Audit report of Justice of the Peace Precinct 1 for period of 9/1/15 - 8/31/16 with response letter from Honorable Alison Cox dated 11/29/16](#)
  - g. [Internal Audit report of the Community Supervision and Correction Dept. audit for period of 10/1/15 - 9/30/16 with response letter from Dan Moore, Director dated 12/6/16](#)

- h. [Internal Audit Report of Justice of the Peace Precinct 4 for period of 9/1/15 - 8/31/16 with response letter from Honorable Kathleen McCumber dated 12/13/16](#)
- i. [Early Check Release J P Morgan dated 12/12/16](#)
- j. [Early Check Release Stewart Title dated 12/13/16](#)
- k. [Standard Mileage Rate for 2017](#)
- \*2. [Receive and file \*restitution check list from Odyssey\* submitted by Collections Improvement Program](#)
- \*3. [Receive and file \*refund check list from Odyssey\* submitted by the District Clerk](#)
- \*4. [Receive and file \*Summary of Biweekly Personnel Movements pay period #24, November 3-16, 2016\* submitted by Human Resources](#)
- \*5. [Receive and file \*Summary of Biweekly Personnel Movements pay period #25, November 17 - 30, 2016\* submitted by Human Resources](#)
- \*6. [Consideration of \*approving exemption to the 4 pay period mandatory vacancy policy for Budget Analyst \(Psn #7\)\* submitted by Human Resources on behalf of Professional Services](#)
- \*7. [Consideration of a \*resolution honoring the retirement of Captain Michael Benavides from the Patrol Division from the Galveston County Sheriff's Office\* submitted by County Legal](#)
- \*8. [Receive and file \*November 2016 Collections and Personal Bond Report\* submitted by the County Judge](#)
- \*9. [Receive and file \*executed acknowledgment of agreement from Deputy Medical Examiners and the Medical Examiner, which are required under the interlocal cooperation agreement between Galveston County and UTMB relating to the Galveston County Medical Examiner's Office\* submitted by County Legal](#)
- \*10. [Consideration of \*approving the designation of Contract Services Director, that position within Professional Services, to serve as the Contract Administrator for the interlocal cooperation agreement between Galveston County and UTMB relating to the Galveston County Medical Examiner's Office\* submitted by County Legal](#)
- \*11. [Consideration of \*approval of fees that may be charged by the Galveston County Medical Examiner's Office\* submitted by County Legal](#)

- \*12. Consideration of approval of appointment to the Children Services Board submitted by Commissioner, Precinct 4
- \*13. Consideration of approval of (re)appointments to Galveston County Emergency Services District No. 1 submitted by Commissioner, Precinct 1 & 2
- \*14. Consideration of approval of (re)appointment to the Galveston County Emergency Services District No. 2 submitted by Commissioner 1
- \*15. Consideration of approval of (re)appointment(s) to the Galveston County Mosquito Control District submitted by Commissioner, Precinct 2
- \*16. Consideration of approval of appointment to the Animal Services Advisory Committee submitted by Commissioner, Precinct 1
- \*17. Consideration of approval of (re)appointment to the Juvenile Advisory Board submitted by Commissioner, Precinct 1
- \*18. Consideration of approval of appointments to the H-GAC Transportation Policy Council (TPC) submitted by the Commissioner, Precinct 4
- \*19. Consideration of approval of appointments to the H-GAC Technical Advisory Committee (TAC) submitted by Commissioner, Precinct 4
- \*20. Consideration of approving Greg Rikard to serve as the County Judge designee of the Galveston County Bail Bonds Board submitted by the County Judge
- \*21. Consideration of approval of engineering assignments for CDBG Hurricane Ike Round 1 replacement projects submitted by the County Judge
- \*22. Consideration of approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for Sisters Helping Sisters, for use of Bayshore Park for a fishing tournament on March 17 & 18, 2017 and October 13 & 14, 2017, presented by Parks & Cultural Services
- \*23. Consideration of approval of memorandum of understanding with Lighthouse Christian Ministries for distribution of food at Bayshore Park for 2017, submitted by the Parks & Cultural Services Department
- \*24. Consideration of approval of authorization for Verizon to transfer the data line for a pole camera from Auto Crimes to CID submitted by the Sheriff's Office
- \*25. Consideration of approval for Nintex forms & workflow assurance and licensing renewals with Databank IMX submitted by Information Technology

- \*26. Consideration of approval for annual software maintenance support for OneSolution with Sungard Public Sector submitted by Information Technology
- \*27. Consideration of approval for annual software maintenance support renewal for OneSolution COGNOS with Sungard Public Sector submitted by Information Technology
- \*28. Consideration of approval for annual software maintenance renewal of Microfocus (Cobal) with Sungard Public Sector submitted by Information Technology
- \*29. Consideration of approval for annual software maintenance for Treasurer with Printech submitted by Information Technology
- \*30. Consideration of approval for software maintenance and support renewal for Double Take software used in the backup and restoring of the county's data with SHI submitted by Information Technology
- \*31. Receive and file grant adjustment request and approval for Coastal Impact Assistance Program (CIAP) Grant #F13AF00087 submitted to the US Fish and Wildlife Service as submitted by Professional Services
- \*32. Request for waiver or refund of penalty and interest due to clerical errors submitted by the Tax Assessor/Collector:

a.	<u>R287638</u>	<u>Clause Living Trust</u>	<u>2015</u>	<u>\$2,193.85 (W)</u>
	<u>R119973</u>	<u>Rekoff, Kay</u>	<u>2015</u>	<u>\$269.34 (R)</u>
	<u>R303937</u>	<u>Svoboda, Ben</u>	<u>2015</u>	<u>\$84.75 (R)</u>
	<u>R227901</u>	<u>Sagacity Inc.</u>	<u>2011</u>	<u>\$2,709.06 (W)</u>
	<u>R227901</u>	<u>Sagacity Inc.</u>	<u>2012</u>	<u>\$1,372.75 (W)</u>
	<u>R227901</u>	<u>Sagacity Inc.</u>	<u>2013</u>	<u>\$1,054.93 (R)</u>
	<u>R227901</u>	<u>Sagacity Inc.</u>	<u>2014</u>	<u>\$1,346.20 (R)</u>
	<u>R227901</u>	<u>Sagacity Inc.</u>	<u>2015</u>	<u>\$1,015.27 (R)</u>

- \*33. Consideration of request of tax refunds in excess of \$2,500.00 submitted by the Tax Assessor/Collector:

a.	<u>668300000001000</u>	<u>\$2,692.13</u>	<u>Over Payment</u>
	<u>R110556</u>	<u>\$2,560.32</u>	<u>Over Payment</u>
	<u>R123992</u>	<u>\$9,613.00</u>	<u>Duplicate</u>
	<u>R201169</u>	<u>\$7,020.64</u>	<u>Over Payment</u>
	<u>R363414</u>	<u>\$5,853.52</u>	<u>Duplicate</u>
	<u>R416589</u>	<u>\$2,542.72</u>	<u>Duplicate</u>
	<u>R512411</u>	<u>\$3,114.41</u>	<u>Over Payment</u>

- \*34. Consideration for authorization to rebid the following Bid/RFQ submitted by the Purchasing Agent:
  - a. Bid #B142001A Electrical Service for Galveston County
  - b. RFQ #B132003 Arbitrage Rebate & Yield Restriction Services
- \*35. Receive and file Local Government Purchasing Cooperative - BuyBoard Rebate Check submitted by the Purchasing Agent
- \*36. Receive and file State of Texas - JPMorgan Chase procurement card (P-card) rebate check submitted by the Purchasing Agent
- \*37. Consideration for authorization to utilize cooperative purchasing program to purchase one (1) surf rake for the Parks and Cultural Services Department submitted by the Purchasing Agent
- \*38. Consideration for authorization to extend the contract on the following RFP submitted by the Purchasing Agent:
  - a. RFP #B142014A Vending Machine Services
- \*39. Receive and file grant adjustment request and approval for Coastal Impact Assistance Program (CIAP) Grant #F13AF0064 submitted to the US Fish and Wildlife Service as submitted by Professional Services
- \*40. Consideration of approval for an extension of CDBG contract 12-513-000-6727 for the Galveston County Housing Program submitted by Professional Services
- \*41. Consideration of approval to extend interlocal agreement with Gulf Coast Centers for the Saturday Transit Program through funding from the Texas Commission on Environmental Quality's Local Initiative Projects Grant Program as submitted by Professional Services
- \*42. Consideration of approval of the following budget amendments submitted by Professional Services:
  - a. 17-053-1220-A  
**Personal Bond Office** - Request transfer from General Fund Budgeted Reserves for Personal Bond Contract Services account
  - b. 17-054-1220-B  
**Professional Services** - Request transfer from General Fund Budgeted Reserves for District Attorney expense associated with FY 2016 that needs to be completed in FY 2017

- c. [17-055-1220-C](#)  
[\*\*Sheriff's Department\*\* - Request transfer from Sheriff's Department Criminal Investigation Administrative Supplies to Sheriff's Department Criminal Investigation Contract Services for Verizon Data Line for Pole Cam](#)
  - d. [17-056-1220-D](#)  
[\*\*Mosquito Control District\*\* - Request transfer from Mosquito Control District Fund Budgeted Reserves for uniform expenses invoices associated with FY 2016](#)
  - e. [17-057-1220-E](#)  
[\*\*Court Administration\*\* - Request transfer from General Fund Budgeted Reserves for salary expense](#)
- \*43. [Consideration of \*authorizing County Judge to execute agreement for engineering services with HDR Engineering, Inc. for the Pelican Island vehicular bridge\* submitted by the County Engineer](#)
  - \*44. [Consideration of \*change order no. 1 to the Apollo Environmental Strategies, Inc. contract for the Bolivar Peninsula Beach and Dune Restoration Project\* submitted by the County Engineer](#)
  - \*45. [Consideration of \*approval of the annual county space utilization plan\* submitted by County Architect](#)

## **Action Agenda**

- 46. **Housing Department**
  - a. [Consideration of approving the extension of Contract No. 1200011417 with the Texas Water Development Board for the Severe Repetitive Loss Elevation Grant Program and authorizing the County Judge to execute extension documents](#)
- 47. **Purchasing**
  - a. [Consideration of approval to award the following:](#)
    - 1. [Bid #B171004 Removal & Reconstruction of Back Stop Flap Gates](#)
  - b. [Consideration of approval of awarding the following bid and authorizing the County Judge to execute the contract for:](#)
    - 1. [Bid #B172001 Trash Barrel Pickup for Bolivar Peninsula](#)
- 48. **Sheriff**

- a. [Consideration of authorizing an interlocal agreement between Galveston County and City of League City for reimbursement of DEA analyst services submitted by County Legal](#)
- b. [Consideration of authorizing a lessee resolution for a municipal lease in connection with an equipment lease purchase agreement between Galveston County and Motorola Solutions](#)

49. **County Legal**

- a. **Break into Executive Session:**
- b. **Executive Session:** [Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to the Severe Repetitive Loss Elevation Project at 1525 103rd Street, Galveston and 715 Oak Road, Clear Lake Shores.](#)
- c. **Executive Session:** [Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to operation of Personal Bond Office and release of defendants under personal bonds.](#)
- d. **Executive Session:** [Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:16-CV-00065, Diane Jacobs, et. al. v. Henry Trocheset, et. al. in the U.S. District Court for the Southern District of Texas, Galveston Division.](#)
- e. **Executive Session:** [Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or-](#)

contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to rendering legal advice about the duties and services of the Court Administration Department.

- f. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to Cause No. 15-0993, Hon. Mark Henry, v. Hon. Lonnie Cox, in the Supreme Court of Texas.
- g. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to drainage related damages in Edwards Landing subdivision.
- h. **Executive Session:** Texas Government Code Section 551.074, Personnel Matters: the Commissioners Court will enter into executive session as permitted under the Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.074 of the Texas Government Code, Personnel Matters: to deliberate the appointment, employment, evaluation, reassignment, or duties of a public employee, the Chief Information Officer.
- i. **Reconvene into Regularly Scheduled Meeting**
- j. Consideration of execution of a lease for State Representative Greg Bonnen at the Calder Road Annex Building
- k. Consideration of execution of a lease for Congressman Randy Weber at the Calder Road Annex Building
- l. Consideration of execution of a lease for Senator Larry Taylor at the Calder Road Annex Building
- m. Consideration of approval of staffing and structure of Court Administration Department including related budgetary action



- n. [Consideration of establishing and approving payment of drainage related damages to the Association of Edwards Landing, Inc.](#)

## **Adjourn**

### **Appearances before Commissioners Court**

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.

### **Executive Sessions**

The Galveston County Commissioners Court may recess into closed meeting (Executive Session) on any item listed on this agenda if the Executive Session is authorized under the Open Meetings Act pursuant to one or more the following exceptions: Tex. Gov't Code §§ 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding a prospective gift or donation), 551.074 (personnel matters), 551.0745 (personnel matters affecting County advisory body), 551.076 (deliberation regarding security devices or security audits), and/or 551.087 (deliberations regarding economic development negotiations). The Presiding Officer of the Commissioners Court shall announce the basis for the Executive Session prior to recessing into Executive Session. However, the Commissioners Court may only enter into the Executive Session on any agenda item for which a separate Executive Session has not been separately posted if, prior to conducting the Executive Session, a majority of the Commissioners Court votes to go into Executive Session. This motion requirement does not apply to any agenda item that has been previously noticed to constitute or include an Executive Session.

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